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XLD CENTURY LLC; XLD GROUP LLC

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

United States ex rel. GNGH2 Inc.,)	Case No.: 2-22-CV-05514-SB-PVC
)	
Plaintiff,)	ANSWER OF DEFENDANTS XLD
)	CENTURY LLC AND XLD GROUP
vs.)	LLC TO RELATOR GNGH2 INC.'S
)	COMPLAINT UNDER THE FALSE
)	CLAIMS ACT
XLD CENTURY LLC and XLD)	
GROUP LLC,)	
)	Complaint filed: August 4, 2022
Defendants.)	

Defendants XLD CENTURY LLC; XLD GROUP LLC (collectively
“Defendants”) hereby answer the complaint (“Complaint”) filed by Relator
GNGH2 Inc. (“Relator”) as follows:

1. Defendants admit the allegations in Paragraphs 2, 3, 7, 8, 11, 13, 16,
19 of the Complaint.

2. Answering Paragraphs 4, 5, 6 of the Complaint, Defendants are
without sufficient knowledge or information to form a belief as to truthfulness.

3. Defendants generally admit the allegation in Paragraphs 9 and 10 of
the Complaint, but are without sufficient knowledge or information to form a belief
as to truthfulness of “large scale outbreaks of panic and hysteria.”

1 4. Defendants deny the allegation in Paragraph 14 in that it quotes an
2 inaccurate version of the Form 2483-SD, wherein Complaint replaces each comma
3 with a period after the word “Hong Kong.”

4 5. Defendants deny the allegations contained in Paragraphs 15, 17, 18,
5 and 21 of the Complaint.

6 6. Paragraphs 1, 12, 20, 22, 24, 25 are legal conclusions and argument to
7 which no answer is required. To the extent that any answer is required, Defendants
8 deny such legal conclusions and argument.

9 AFFIRMATIVE DEFENSES

10 (Public Disclosure)

11 Relator’s allegations are based on information that is publicly available via
12 inter alia the news media, namely that Defendants are subsidiaries of a Chinese
13 company and that Defendants own certain Marriott hotels operated by Marriott
14 Management. The government therefore has enough information to investigate the
15 case since the information alleged are already in the public domain.

16 Relator has not provided any missing link between the public information
17 and the alleged fraud and is not the original source of the information.

18 PRAYER FOR RELIEF

19 WHEREFORE, having responded to Relator’s Complaint and having stated
20 their affirmative defenses, Defendants pray that:

21 1. Judgment be entered against Relator and in favor of Defendants and
22 that Relator takes nothing by its Complaint;

23 2. Defendants be awarded their costs of suit incurred in defense of this
24 action; and

25 3. The Court award Defendants such other relief as the Court deems “just
26 and proper.”

27 Dated: October 5, 2023

MOON & DORSETT, PC

By: /s/

Dana Moon Esq.

Attorneys for Defendants

PROOF OF SERVICE OF DOCUMENT

I am over the age 18 and not a party to this case. My business address is 445 South Figueroa St., Suite 2900, Los Angeles, CA 90071.

A true and correct copy of the foregoing document entitled: **ANSWER OF DEFENDANTS XLD CENTURY LLC AND XLD GROUP LLC TO RELATOR GNGH2 INC'S COMPLAINT UNDER THE FALSE CLAIMS ACT** will be served or was served in the manner stated below.

TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LR, the foregoing document will be served by the court via NEF and hyperlink to the document. On October 5, 2023, I checked the CM/ECF docket for this case and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Yael Lerman on behalf of Plaintiff GNGH2 INC.:

yaell@standwithus.com

David N. Abrams on behalf of Plaintiff GNGH2 INC.:

dnabrams@wjlf.org; dnabrams@gmail.com

Dana Moon on behalf of Defendants XLD CENTURY LLC; XLD GROUP LLC: wk@moondorsett.com

I certify under penalty of perjury, under the laws of the State of California and the United States that the foregoing is true and correct.

Executed on October 5, 2023, at Los Angeles, California.



Wendy Kim, Declarant